

SENATE BILL 1602

By Norris

AN ACT to amend Tennessee Code Annotated, Title 63  
and Title 68, relative to patient confidentiality.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-1502, is amended by designating the current language as subsection "(a)", and by adding a new subsection (b) as follows:

(b) Notwithstanding any statute or any case law to the contrary, physicians, hospitals, and other healthcare provider, are authorized to disclose a patient's medical records, conditions, care and treatment and mental impressions and opinions in regard thereto to any other health care provider, or to the attorney or agent for such other health care provider, in the following circumstances:

(1) When a healthcare provider conducts peer review, case management, quality of care review, utilization review, credentialing, or similar activity type;

(2) When a healthcare provider is required to report or respond to a governmental agency having regulatory authority over the healthcare provider;

(3) When a patient makes a claim, whether in a lawsuit or otherwise, for injury resulting from medical malpractice or negligence but only with regard to those conditions, care, and treatment that are related to the conditions or injuries for which claim is being made;

(4) When a patient seeks or receives treatment or care from another health care provider.

Nothing in this subsection is intended to limit or eliminate any privilege or confidentiality right except as specifically set forth herein.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.